

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED

OCT 31 2022

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

§

§

v.

§

No. 4:20-CR-314

§

Judge Mazzant

NICHOLAS ROBERT SIMONDS (2)

§

FACTUAL BASIS

The defendant, **Nicholas Robert Simonds** hereby stipulates and agrees that at all times relevant to the First Superseding Indictment herein, the following facts were true:

1. That the defendant, **Nicholas Robert Simonds**, who is changing his plea to guilty, is the same person charged in the First Superseding Indictment.

2. That the events described in the First Superseding Indictment occurred in the Eastern District of Texas and elsewhere.

3. That **Nicholas Robert Simonds** and one or more persons in some way or manner made an agreement to commit the crime charged in Count One of the First Superseding Indictment to knowingly and intentionally possess with the intent to distribute at least 10,000 kilograms but less than 30,000 kilograms of a mixture or substance containing a detectable amount of marijuana.

4. That **Nicholas Robert Simonds** knew the unlawful purpose of the agreement and joined in it with the intent to further it.

5. That **Nicholas Robert Simonds** knew that the amount involved during the term of the conspiracy involved at least 10,000 kilograms but less than 30,000 kilograms

of a mixture or substance containing a detectable amount of marijuana. This amount was involved in the conspiracy after the defendant entered the conspiracy, was reasonably foreseeable to the defendant, and was part of jointly undertaken activity.

6. That **Nicholas Robert Simonds**' role in this conspiracy was to supply co-conspirators with kilogram quantities of marijuana from various sources which would then be distributed to other co-conspirators and co-defendants during the term of the conspiracy in the Eastern and Northern Districts of Texas, and elsewhere.

7. That **Nicholas Robert Simonds** acted as a manager or supervisor of the criminal conspiracy.

8. That **Nicholas Robert Simonds** and one or more persons in some way or manner made an agreement to commit the crime charged in the First Superseding Indictment, knowingly combined, conspired, and agreed together and with co-conspirators to conduct financial transactions affecting interstate commerce which involved the proceeds of specified unlawful activity, that is conspiracy to distribute and possess with intent to distribute marijuana, knowing that the transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of that specified unlawful activity.

DEFENDANT'S SIGNATURE AND ACKNOWLEDGMENT

9. I have read this Factual Basis and the First Superseding Indictment and have discussed them with my attorney. I fully understand the contents of this Factual

Basis and agree without reservation that it accurately describes the events and my acts.

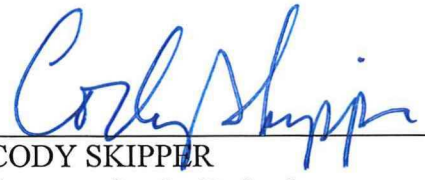
Dated: 10/26/22


NICHOLAS ROBERT SIMONDS
Defendant

COUNSEL FOR DEFENDANT'S SIGNATURE AND ACKNOWLEDGMENT

10. I have read this Factual Basis and the First Superseding Indictment and have reviewed them with my client. Based upon my discussions with the defendant, I am satisfied that the defendant understands the Factual Basis and the First Superseding Indictment.

Dated: 10/26/22


CODY SKIPPER
Attorney for the Defendant